

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

LARRY DOUGLAS STOVALL,

Plaintiff,

v.

ED GOLLA, *et al.*,

Defendants.

Case No. C07-5072 FDB/KLS

ORDER GRANTING MOTION TO
EXTEND TIME TO RESPOND TO
DEFENDANTS' MOTION TO
DISMISS

This civil rights action has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. § 636(b)(1)(B) and Local MJR 3 and 4. Presently before the Court is Plaintiff's second motion to extend the time within which to respond to Defendants' motion to dismiss.¹ (Dkt. # 28). Defendants oppose the extension. (Dkt. # 30).

Plaintiff was previously granted an extension of time to respond to Defendants' motion while he sought guidance with clerks at the Stafford Creek law library regarding deficiencies in his complaint. (Dkt. # 25 and 26). Plaintiff now submits the declaration of an inmate law clerk who is assisting him in the preparation of his response in support of his claim that he requires a short

¹Plaintiff previously filed two motions (Dkt. # 22 & 23, requesting extensions until June 15, 2007 and June 29, 2007, respectively). However, they were treated as one request for extension. (See Dkt. # 25 and 26).

1 continuance, until August 24, 2007, to complete and file his response. (Dkt. 29). Defendants
2 oppose Plaintiff's request as they argue, there are no set of facts that Plaintiff could present to
3 support his claim of a violation of access to the courts. (Dkt. 30 at 3).

4 The Court finds no prejudice to Defendants in an additional short continuance at this stage
5 of the litigation.

6 Accordingly, Plaintiff's request for an extension of time to respond to Defendants' motion to
7 dismiss is **GRANTED (Dkt. # 28)**. Plaintiff's response shall be due no later than **August 24,**
8 **2007**. Defendants may file a reply no later than **August 31, 2007**. The Clerk of the Court is
9 directed to re-note Defendants' motion to dismiss (Dkt. # 21) on the Court's calendar for **August**
10 **31, 2007**.

11 The Clerk is directed to send copies of this order to Plaintiff and counsel for Defendants.

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13 DATED this 15th day of August, 2007.

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17 Karen L. Strombom
18 United States Magistrate Judge
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